

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

The Annuity, Pension, Welfare and Training Funds of the International Union of Operating Engineers Local 14-14B, AFL-CIO, by their Trustees Edwin L. Christian, Christopher T. Confrey, John Cronin, Don Denardo, Kenneth Klemens, Jr., John F. O'Hare, Denise M. Richardson, and Ernesto Tersigni, and International Union of Operating Engineers Local 14-14B, AFL-CIO, by its Business Manager Edwin L. Christian,

Plaintiffs

— against —

NAMOW, Inc.

Defendant.

**17-CV-1469 (ARR) (SJB)**

**Opinion & Order**

**Not for electronic or print  
publication**

Ross, United States District Judge:

This Court has received the Report and Recommendation on the instant case dated February 28, 2018, from the Honorable Sanket J. Bulsara, United States Magistrate Judge. Objections were due by March 14, 2018, but no objections have been filed. The Court reviews “de novo any part of the magistrate judge’s disposition that has been properly objected to.” Fed. R. Civ. P. 72(b); *see also* *Brissett v. Manhattan & Bronx Surface Transit Operating Auth.*, No. 09-CV-874 (CBA)(LB), 2011 WL 1930682, at \*1 (E.D.N.Y. May 19, 2011). Where no timely objections have been filed, “the district court need only satisfy itself that there is no clear error on the face of the record.” *Finley v. Trans Union, Experian, Equifax*, No. 17-CV-0371 (LDH)(LB), 2017 WL 4838764, at \*1 (E.D.N.Y. Oct. 24, 2017) (quoting *Estate of Ellington ex rel. Ellington v. Harbrew Imports Ltd.*, 812 F. Supp. 2d 186, 189 (E.D.N.Y. 2011)). Having reviewed the record, I find no clear error. I therefore adopt the Report and Recommendation as the opinion of the Court pursuant to 28 U.S.C. § 636(b)(1).

Accordingly, I grant the plaintiffs' motion for a default judgment as to liability, and award them \$2405 in attorney's fees and \$590 for costs incurred to date (\$2995 in total). Further, I order defendant NADOW to submit to an audit of relevant records to determine the amount of contributions owed to the plaintiffs for the time period between November 1, 2014, and February 28, 2017. Following this audit, the plaintiffs may petition the court, with proper evidentiary support, to amend the judgment to include any damages stemming from unpaid contributions.

SO ORDERED.

\_\_\_\_\_/s/\_\_\_\_\_  
Allyne R. Ross  
United States District Judge

Dated: March 22, 2018  
Brooklyn, New York